

REMARKS

Claims 26-34, 36-42 and 45-47 are pending in this application, of which claims 26 and 45 are independent. Claims 35 and 43 are canceled without prejudice or disclaimer of its subject matter. Claims 26-34, 36-42, and 45-47 are amended. This amendment does not add any new matter. Applicant respectfully requests favorable reconsideration and allowance of all pending claims in view of the following remarks.

The courtesies extended to Applicant's representative by Examiner of Record Benjamin Elliott and Primary Examiner Steve Nguyen during the interview held on March 4, 2010, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview

REJECTIONS UNDER 35 U.S.C. § 103(a)

On pages 5-16, the Office Action rejects claims 26-29, 32, 38-43, 45, and 46 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,754,188 to Garahi et al (hereinafter "Garahi") in view of U.S. Patent No. 6,466,678 to Mauger et al (hereinafter "Mauger"). On pages 16-22, the Office Action rejects claims 30, 31, 33-37 under 35 U.S.C. § 103(a) as allegedly unpatentable over Garahi in view of Mauger, further in view of various secondary references.

Independent claim 26 recites “using a signature in the portion of the payload data to determine whether said portion of the payload data identifies P2P traffic” (emphasis added). Similar subject matter appears in independent claim 45. The published version of the specification provides support for this subject matter, for example, in paragraph [0075]. As agreed during the interview on March 4, 2010, the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

Independent claim 26 further recites “limiting propagation of the P2P traffic without limiting propagation of non-P2P traffic” (emphasis added). Similar subject matter appears in independent claim 45. The published version of the specification provides support for this subject matter, for example, in paragraph [0076]. As agreed during the interview on March 4, 2010, the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

For the reasons listed above, Applicant respectfully submits that independent claims 26 and 45 are allowable over the references of record. Claims 35 and 43 are canceled. Claims 27-34 and 36-42 depend from claim 26. Claims 46 and 47 depend from claim 45. Thus, claims 27-34, 36-42, 46, and 47 are allowable at least due to their respective dependencies from allowable claims.

Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 26-43 and 45-47 under 35 U.S.C. § 103(a).

CONCLUSION

Applicant submits that all pending claims of this application stand in condition for allowance. Should the Examiner have any further comments or suggestions, though, Applicant respectfully requests that the Examiner telephone the undersigned attorney to expeditiously resolve any outstanding issues.

In the event the fees submitted prove insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

A handwritten signature in black ink, appearing to read "Terry W. Kramer", written over a horizontal line.

Date: March 17, 2010

Terry W. Kramer
Registration No.: 41,541

KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802